

Message Text

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SUBJECT: HUMAN RIGHTS COMMISSION - EXPLOITATION OF LABOR
THROUGH ILLICIT AND CLANDESTINE TRAFFICKING (ITEM 5)

1. THE COMMISSION CONSIDERED THIS ITEM FOR THE FIRST TIME AS A RESULT OF REQUESTS CONTAINED IN ECOSOC RESOLUTION 1706 AND GENERAL ASSEMBLY RESOLUTION 2920. KENYA HAD ORIGINALLY RAISED THE QUESTION IN ECOSOC FOLLOWING REPORTS OF ILLEGAL TRANSPORT OF AFRICAN WORKERS TO EUROPE IN 1972. MOROCCO TOOK UP THE QUESTION AT THE 27 TH GENERAL ASSEMBLY WHICH LED TO THE ADOPTION OF THE RESOLUTION.

2. THERE WAS CONSIDERABLE DISCUSSION OF THE ITEM, PRIMARILY BY WESTERN EUROPEAN REPRESENTATIVES. INTERVENTIONS WERE MADE BY U. S., TURKEY, ITALY, U. K., INDIA, AUSTRIA, GHANA, NIGERIA AND MEXICO. THE ILO REPRESENTATIVE SPOKE ABOUT THE EXTENT OF THE PROBLEM OF CLANDESTINE TRAFFICKING, EXISTING STANDARDS SUCH AS THE 1949 CONVENTION CONCERNING MIGRATION FOR EMPLOYMENT AND THE DECISION OF THE ILO GOVERNING BODY TO DISCUSS THIS QUESTION AT THE 59 TH SESSION OF THE INTERNATIONAL LABOR CONFERENCE.

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3. THERE WAS GENERAL AGREEMENT AMONG THE SPEAKERS THAT THE ILO SHOULD BE ENCOURAGED TO CONTINUE ITS EFFORTS TO DEAL WITH THE PROBLEM BUT THAT HUMAN RIGHTS ASPECTS BE CONSIDERED BY THE SUB- COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES.

4. THE TERMS OF REFERENCE FOR STUDY BY THE SUB- COMMISSION WAS SUBJECT TO EXTENSIVE CONSIDERATION. THE U. K. DELEGATION FELT THAT THE SUBJECT SHOULD BE WIDER THAN CLANDESTINE TRAFFICKING AND SHOULD INCLUDE THE RIGHTS OF NON- CITIZENS IN GENERAL. MOST REPRESENTATIVES FELT, HOWEVER, THAT IT WAS MORE PRUDENT TO LIMIT SUB- COMMISSION CONSIDERATION TO RIGHTS OF FOREIGN WORKERS AT THE MOST.

5. THE U. K. DID NOT PRESS ITS VIEWS BUT RESERVED THE RIGHT TO RAISE THE QUESTION OF NON- CITIZENS AGAIN IN LINE WITH RESOLUTION 8 (XXV) OF THE SUB- COMMISSION.

6. THE INCREASING PROBLEM OF THE STATUS OF FOREIGN WORKERS WAS HIGHLIGHTED IN STATEMENTS BY TURKEY, AUSTRIA, NETHERLANDS. THE MEXICAN REPRESENTATIVE MADE A BRIEF, RESTRAINED STATEMENT CONCERNING MIGRANT LABOR IN THE U. S., NOTING THAT THERE WAS NO AGREEMENT IN FORCE PROTECTING MEXICAN WORKERS. THE FRENCH REPRESENTATIVE MADE A STATEMENT CONCERNING ADVERSE REPORTS OF THE CONDITION OF FOREIGN WORKERS IN FRANCE NOTING MEASURES ADOPTED TO DEAL WITH THE PROBLEM. THE INDIAN REPRESENTATIVE HIGHLIGHTED THE PROBLEM OF ILLEGAL TRAFFICKING INVOLVING YOUNG WOMEN AND SUGGESTED THAT THE COMMISSION ON STATUS OF WOMEN CONSIDER THIS ASPECT OF THE PROBLEM.

7. THE U. S. REPRESENTATIVE SHARED THE CONCERN OVER THE PROBLEM OF CLANDESTINE TRAFFICKING AND NOTED RESPONSIBILITIES OF BOTH GOVERNMENTS OF ORIGIN OF WORKERS AND RECEIVING COUNTRIES. HE REFERRED TO THE MEXICAN STATEMENT IN POINTING OUT THAT ILLEGAL IMMIGRANTS ARE THE PREY OF UNSCRUPULOUS EMPLOYERS AND THAT GOVERNMENTS SHOULD DO THEIR BEST TO ENFORCE LAWS AGAINST THIS TRAFFICKING. THE U. S. SUPPORTED THE WORK OF ILO IN THIS FIELD AND WELCOMED THE FACT THAT THE 1974 GENERAL CONFERENCE WILL DEVOTE UNCLASSIFIED

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PRIMARY ATTENTION TO THIS ITEM OF ITS AGENDA.

8. THE U. S. NOTED THAT THIS SUBJECT SHOULD LEAD TO CONSIDERATION OF THE BROADER QUESTION OF RIGHTS OF MIGRANT WORKERS WHO HAVE ENTERED A COUNTRY LEGALLY AND THE HUMAN RIGHTS OF NON- NATIONALS IN COUNTRIES WHERE THEY RESIDE. WE EXPRESSED THE OPINION THAT THIS BROADER QUESTION SHOULD BE TAKEN UP AT THIS SESSION, IF NOT ON THIS ITEM, THEN AT A LATER STAGE.

9. A RESOLUTION WAS ADOPTED WHICH IS RESTRICTED TO THE RIGHTS OF FOREIGN WORKERS. STATES ARE AGAIN URGED TO RATIFY THE RELEVANT ILO CONVENTIONS; THE WORK OF THE ILO IS WELCOMED; THE SUB- COMMISSION AND THE COMMISSION ARE REQUESTED TO CONSIDER THE MATTER AT THEIR NEXT SESSIONS; THE COMMISSION ON STATUS OF WOMEN IS REQUESTED TO EXAMINE THE QUESTION OF EXPLOITATION OF CLANDESTINE TRAFFICKING IN LABOR, ESPECIALLY YOUNG WOMEN; AND MEMBER STATES ARE REQUESTED TO SUBMIT RELEVANT MATERIAL TO THE SECRETARY- GENERAL FOR TRANSMISSION TO THE SUB- COMMISSION AND TO THE COMMISSION ON THE STATUS OF WOMEN. THE RESOLUTION WAS ADOPTED BY CONSENSUS. RIMESTAD

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